

March 21, 2006

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: March 15, 2006

Case Number: RB272-10035

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate are now eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). Refunds are rounded to the nearest dollar.

In order to receive a supplemental refund check, applicants are required to verify that their name and address in our records are correct, to correct any information that is not accurate, and to verify whether the refund cannot be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

This decision approves supplemental refunds for the applicants listed in the Appendix to this decision. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 114 applicants, totaling \$30,496.00.

It Is Therefore Ordered That:

(1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to Class Action Recovery Service, on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$30,496.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.

(2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.

(3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information
Office of Hearings and Appeals
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0107

(4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.

(5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

George B. Breznay
Director
Office of Hearings and Appeals

Date: March 21, 2006

Appendix - Supplemental Refund Case No. RB272-10035

Case No.	Firm	Volume	Refund
RF272-00535	BRUNS-GUTZWILLER, INC.	206,787	\$144.00
RF272-00540	RONALD L. CARSON	548,923	\$382.00
RF272-00578	JAMES TRENT AUSTIN PARTNERSHIP	265,608	\$185.00
RF272-00587	BERNARD ALSUM	217,233	\$151.00
RF272-00957	DOUGLAS L. BULLER	265,608	\$185.00
RF272-01287	BILL HOLDER	205,404	\$143.00
RF272-01301	MAX K. JOHNSON	212,486	\$148.00
RF272-01417	MODEL COVERALL SERVICE	828,000	\$576.00
RF272-01489	E.B. O'REILLY SERVICING CORP.	280,000	\$195.00
RF272-01607	KOSBAU BROTHERS, INC.	210,617	\$146.00
RF272-01885	JOHN H. WILLIAMS	227,360	\$158.00
RF272-01904	SADDORIS FARMS	259,410	\$180.00
RF272-01970	NORTHERN XMAS TREE GROWERS	885,360	\$616.00
RF272-02001	LAWRENCE F. SCHULTES	295,710	\$206.00
RF272-02054	DARYL PETERSON	242,130	\$168.00
RF272-02073	JAY E. LEIERER	212,486	\$148.00
RF272-02094	ROBERT J. SCHMITT	242,190	\$168.00
RF272-02878	RANDOLPH N. RHODES	123,185	\$86.00
RF272-03022	M & M FARMS	229,179	\$159.00
RF272-03043	R.R. MCLENDON FARMS	207,650	\$144.00
RF272-03169	DAVID H. LADD TRUCKING INC.	1,231,893	\$857.00
RF272-03212	GARY D. TRACY	217,798	\$151.00
RF272-03347	JAMES KREITER	217,798	\$151.00
RF272-03652	TED MCANINCH	217,200	\$151.00
RF272-04024	CAMPBELL FARMING CORP.	3,347,723	\$2,328.00
RF272-04470	MIGL FEED & GRAIN CO.	1,039,370	\$723.00
RF272-04504	PHILLIP J. PARRENT	262,936	\$183.00
RF272-04551	SAUCER FARMS	252,328	\$175.00
RF272-04615	SHIMAMOTO FARMS, INC.	239,578	\$167.00
RF272-05219	DALE N. SOWARDS	204,957	\$143.00
RF272-05411	MILLER BROS. FARMS, INC.	705,758	\$491.00
RF272-05570	MEINER FARMING, INC.	216,484	\$151.00
RF272-05573	ROBERT PACKARD	235,505	\$164.00
RF272-05713	BROSIUS-ELIASON CO.	253,760	\$176.00
RF272-07544	FOY CRADEUR	212,486	\$148.00
RF272-08229	JOE WATKINS	289,924	\$202.00
RF272-08234	VANDALIA COMMUNITY UNIT SCHOOL	752,210	\$523.00
RF272-08280	GEORGE FERRI, JR.	212,486	\$148.00
RF272-08487	CLEAR LAKE FARMS, INC.	270,034	\$188.00
RF272-08519	DAYROLD DAVIS	226,652	\$158.00
RF272-08592	DYKES LUMBER CO., INC.	214,175	\$149.00
RF272-08638	PAPEN FARMS, INC.	775,629	\$539.00
RF272-08645	RAINBOW PLANTATION, INC.	203,632	\$142.00
RF272-08715	C.C. LOWERY	563,184	\$392.00
RF272-08749	DICKEY COUNTY AUDITOR	289,493	\$201.00
RF272-09199	ROLAND CRAM	251,054	\$175.00
RF272-09459	HILLSBORO TRANSPORTATION CO.	825,710	\$574.00
RF272-09559	JOHN L. SULLIVAN	206,288	\$143.00
RF272-09953	JAMES EARL FLYTH FARMS	206,437	\$144.00
RF272-10155	MAHR CONSTRUCTION INC.	820,760	\$571.00
RF272-10178	PORTABLE ROCK PRODUCTION CO.	1,207,776	\$840.00
RF272-10190	ROSEDALE FLYING SERVICE, INC.	190,560	\$133.00
RF272-10325	J.C. DIXON	212,486	\$148.00
RF272-10353	PRATHER BROTHERS	231,964	\$161.00
RF272-10425	MEARL WELCH	252,549	\$176.00
RF272-11080	MISSISSIPPI VALLEY EQUIP. CO.	283,012	\$197.00

RF272-11143	GEORGE BRASKO	212,486	\$148.00
RF272-11463	GREER-MINOR	599,456	\$417.00
RF272-12076	DEWEY ROTH	276,420	\$192.00
RF272-12175	MOTOR SUPPLY, LTD.	217,336	\$151.00
RF272-12303	DICK SPEARS	619,752	\$431.00
RF272-12345	MARTIN O'CONNOR CATTLE CO. INC	266,131	\$185.00
RF272-12460	KARL LINZNER	241,002	\$168.00
RF272-12498	DALE J. SEUFER	278,222	\$193.00
RF272-12551	T & H DAIRY FARMS	201,816	\$140.00
RF272-12767	CLIFFORD WOLF FARMS	295,710	\$206.00
RF272-13185	BEALLGRAY FARM INC.	221,378	\$154.00
RF272-13483	GEORGE E. BOWERSOX	268,710	\$187.00
RF272-13787	GERALD JIMMERSON	212,486	\$148.00
RF272-14025	COCKE CNTY. BRD. OF EDUCATION	1,375,499	\$957.00
RF272-14123	VERLON DINNEL	276,831	\$193.00
RF272-14482	IDEAL LINEN SUPPLY	296,651	\$206.00
RF272-14719	CHESTER E. ROSE & SONS	238,702	\$166.00
RF272-15230	JAMES C. TODD, JR.	212,486	\$148.00
RF272-15382	EDGECOMBE COUNTY	658,661	\$458.00
RF272-15399	NEAL TRANSPORT, INC.	687,222	\$478.00
RF272-15694	R.H. MORGAN	245,235	\$171.00
RF272-15890	FRED WILLBRAND	211,838	\$147.00
RF272-16133	TONY KLASSEN & SONS	277,245	\$193.00
RF272-16160	SHORE FARMS	230,193	\$160.00
RF272-16170	MIKE KROUS	230,193	\$160.00
RF272-16334	KENNETH CARSTON	250,017	\$174.00
RF272-16369	JAMES E. MATHIASON	207,663	\$144.00
RF272-16527	COLEY BROS. FARM	265,608	\$185.00
RF272-16534	KELTON FARMS	258,525	\$180.00
RF272-16716	SAM T. HALL JR.	212,114	\$148.00
RF272-17227	ROWAN MEMORIAL HOSPITAL	645,063	\$449.00
RF272-17587	HANSON BROTHERS	725,995	\$505.00
RF272-18058	HAUSCHILD CONSTRUCTION	231,953	\$161.00
RF272-18325	THEODULE NOEL	212,486	\$148.00
RF272-18946	JAMES GUZINSKI	220,420	\$153.00
RF272-19059	SINNEMA FLIKKEMA RANCH CO.	218,317	\$152.00
RF272-19480	BAMBERGER'S, INC.	1,254,791	\$873.00
RF272-19529	LITTLE DIXIE DISTRIBUTING, CO	209,059	\$145.00
RF272-20030	CRIFE GRAIN CO.	292,750	\$204.00
RF272-20178	BELL ENTERPRISES, INC.	254,554	\$177.00
RF272-20299	I-GO VAN & STORAGE CO.	1,267,628	\$881.00
RF272-20324	NASON HOSPITAL	847,100	\$589.00
RF272-20459	JOSEPH BOSTYAN	247,901	\$172.00
RF272-20670	RALPH C. ZINDEL	234,002	\$163.00
RF272-20988	DEHNE BUS SERVICE	267,900	\$186.00
RF272-21186	WAYNE MCCOY	250,462	\$174.00
RF272-22008	NICK GILLEN	265,608	\$185.00
RF272-25216	MARK & STEVE KNAFF	212,486	\$148.00
RF272-35201	DONALD BRANDENBURG	247,901	\$172.00
RF272-52184	P & R EQUITIES INC.	298,371	\$207.00
RK272-00029	JACK MCGUIRE	226,140	\$157.00
RK272-00448	TED BOZEMAN	259,588	\$181.00
RK272-00724	PAUL D. KING	242,606	\$169.00
RK272-00836	LINDCO PARTNERSHIP	138,781	\$97.00
RK272-01421	MOBILE CRUSHING CO., INC.	324,644	\$226.00
RK272-01700	JACK EDWARDS	231,497	\$161.00
RK272-02116	ALAN R. MEEKS	256,002	\$178.00
RK272-04218	WILMA JEAN REVELL	206,909	\$144.00

Totals	114 Applicants	43,843,417	\$30,496.00
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